

DECISION

**THE COMPTROLLER GENERAL
OF THE UNITED STATES**
WASHINGTON, D.C. 20548

FILE: B-219391 **DATE:** September 5, 1985
MATTER OF: Communique, Incorporated

DIGEST:

A protester, which did not submit a proposal and which is not a potential competitor if the protest is successful, is not an interested party to pursue a protest concerning allegedly ambiguous solicitation provisions.

Communique, Incorporated protests that General Services Administration (GSA) solicitation No. FGA-N1-XU248-N, requesting proposals for debt collection services for delinquent accounts owed to federal agencies, is ambiguous and is otherwise improper and defective. Communique filed its protest prior to the closing date for receipt of proposals, but did not subsequently submit a proposal under the Request for Proposals (RFP).

We dismiss the protest.

Communique's protest, as initially filed, questioned various provisions of GSA's solicitation as ambiguous or improper. After receipt of GSA's report on its protest, Communique filed comments on the report with our Office in which it abandoned its previous grounds of protest if two "points" concerning the solicitation were "clarified."

We will only consider protests brought by parties having a legitimate interest in the procurement. 4 C.F.R. § 21.0(a) (1985); Aydin Vector Division, B-192431, Nov. 2, 1978, 78-2 CPD ¶ 316. In making this determination, we consider a variety of factors, including the nature of the issues raised and the benefit or relief sought by the protester.

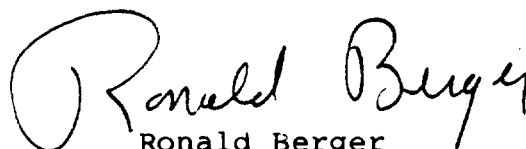
In our view, Communique is not an interested party for purposes of the remaining matters for which it seeks clarification. Communique, rather than seeking to obtain clarification of RFP language to enable it to submit a proposal, appears only to want to insure that performance of work under the solicitation will be limited so that

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it will be able to contract with federal agencies for other debt collection-related services. For example, Communique wants to help federal agencies in their debt collection activities while the debts remain in the control of the agencies, e.g., before they are referred to the debt collection contractor, and seeks assurance that such assistance is not included in the present solicitation.

In general, we will not consider a party's interest as a protester to be sufficient where that party would not be eligible for award, even if the issues raised were resolved in its favor. The Wenninger Company, Inc., B-205093.3, Aug. 10, 1983, 83-2 CPD ¶ 194. Thus, while we have recognized that a nonbidding party, who would be a potential competitor under a solicitation purged of alleged improprieties, is an interested party, e.g., Deere & Company, B-213203, Oct. 12, 1983, 83-2 CPD ¶ 456, that clearly is not the case here. As stated previously, Communique did not submit a proposal, and appears to be interested only in award to itself of other contracts as opposed to this one. Since Communique's interest is therefore not that of a potential offeror for this procurement, it is not an interested party eligible to have its protest resolved by this Office.

The protest is dismissed.



Ronald Berger
Deputy Associate
General Counsel